

REMARKS

The Application has been carefully reviewed in light of the Office Action mailed April 8, 2005. At the time of the Office Action, Claims 1-60 were pending in this patent application. Reconsideration and allowance of all pending claims is respectfully requested in view of the following remarks.

Rejections Under 35 U.S.C. § 102:

Claims 1, 9, 21, 29, 41 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated over U.S. Patent No. 2001/0018340 A1 to Tagi ("Tagi"). Tagi is a system for customizing the content of advertisements delivered to advertising terminals based on the characteristics of people likely to view the advertisement. Tagi does not teach the elements recited by Claim 1. More specifically, Tagi does not "register[] wireless device users in a direct marketing campaign" as recited by Claim 1. Nor does Tagi "provid[e] content within a display of a wireless device, wherein the content includes a portion that is responsive to user activation and that displays an identification of a direct marketing campaign, and wherein the content portion, responsive to user activation, is configured to register a user to receive one or more communications from the direct marketing campaign." Additionally, Tagi does not "obtain[] user identification information and direct marketing campaign identification information in response to user activation of the content portion, wherein the user identification includes a communication address where the user can receive communications from the direct marketing campaign via the wireless device." Finally, Tagi does not "register[] the user in the identified direct marketing campaign in response to obtaining user identification information." The Examiner asserts that Tagi "teaches...a method of registering wireless device in a direct marketing campaign." Without further explanation or any recitation of any specific teachings of Tagi relative to any of the elements of Claim 1, the Examiner generally asserts that figs. 12-17 and paragraphs 48, 55, and 80 through 93 of Tagi teach Claim 1. Such general assertion does not fulfill the Examiner's prima facie obligation to demonstrate that Tagi discloses each and every element of Claim 1 to support a rejection of Claim 1 under 35 U.S.C. §102. While Tagi is generally related to targeted advertising and Tagi does teach using a wireless network to deliver customized advertisements to limited areas, nowhere in Tagi do Applicants see the invention of

Applicants disclosed that is directed to a user opting-in to a direct marketing campaign in the unique manner recited by Claim 1. Similar to Claim 1, the Examiner nowhere demonstrates why Tagi anticipates each and every limitation of Claims 9, 21, 29, 41 and 49. Applicants also respectfully submit that such claims are not anticipated by Tagi. For at least these reasons, Applicants respectfully submit that Claims 1, 9, 21, 29, 41, and 49 are allowable over the recited prior art. As the remaining pending claims depend from the preceding claims, Applicants respectfully submit that such claims are also allowable. Reconsideration and favorable action are requested.

Rejections Under 35 U.S.C. § 103:

Claims 2-8, 10-20, 30-40, 42-48 and 50-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagi in view of U.S. Patent No. 2002/0164977 to Link, et al ("Link"). The Examiner asserts that Link teaches a system and method "wherein a user can edit one's profile by contacting a service provider over the internet..." The Examiner appears to be suggesting that such teaching, when taken in combination with Tagi, teaches each of recited elements of Claims 2-8, 20-20, 30-40, 42-48, and 50-60. Applicants can find no basis within such statement or elsewhere in Link for such teachings. Applicants respectfully request that the Examiner disclose the teachings of Link, if any, that the Examiner is asserting teaches the elements of the recited claims. Applicants further respectfully request that the Examiner relate to Applicants where the suggestion, if any, to combine the references of Tagi and Link is found that is necessary to present a prima-facie case of obviousness under 35 U.S.C. §103. Applicants respectfully assert that Claims 2-8, 10-20, 30-40, 42-48, and 50-60 are allowable and are not taught, disclosed, or suggested by Tagi, even when taken in view of Link. Reconsideration and favorable action are requested.

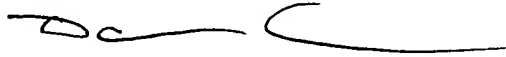
CONCLUSION

For the foregoing reasons, and for other apparent reasons, Applicants respectfully request reconsideration and favorable action. If the Examiner feels a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A fee of a sufficient amount for a one-month extension is believed to be enclosed herewith. Applicants believe that no other fee is due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-2816 of Patton Boggs, L.L.P.

Respectfully submitted,

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Dated: August 8, 2005

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